

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Vice Chair Verdell Jackson, on February 9, 2011 at 9:00 A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Verdell Jackson, Vice Chairman (R)
Sen. Tom Facey (D)
Sen. Frederick (Eric) Moore (R)
Sen. Carmine Mowbray (R)
Sen. Donald J. Steinbeisser (R)
Sen. Mitch Tropila (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Joe Balyeat, Chairman (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Bruce Tutvedt (R)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 17, 2/3/2011; HB 44, 2/3/2011; SB 243, 2/3/2011

00:01:00 Vice Chair Jackson
00:02:23 Ms. Murdo, LSD

HEARING ON HB 17

Opening Statement by Sponsor:

00:02:27 Rep. Roy Hollandsworth (R), HD 28, opened the hearing on HB 17, Correct terminology describing state agency liquor stores.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:04:50 Shauna Helfert, Administrator, Liquor Control Division, Department of Revenue (DOR)

Questions from Committee Members and Responses:

00:05:21 Sen. Tropila
00:05:32 Ms. Helfert, DOR
00:06:33 Sen. Mowbray
00:06:41 Ms. Helfert

Closing by Sponsor:

00:07:19 Rep. Hollandsworth
00:08:41 Ms. Helfert

00:09:22 Vice Chair Jackson

HEARING ON HB 44

Opening Statement by Sponsor:

00:09:49 Rep. Brian Hoven (R), HD 24, opened the hearing on HB 44, Repeal Montana Capital Company Act.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:12:08 Andy Poole, Deputy Director, Department of Commerce

Questions from Committee Members and Responses:

00:13:15 Sen. Facey
00:13:21 Rep. Hoven

Closing by Sponsor:

00:13:38 Rep. Hoven

00:13:48 Vice Chair Jackson
00:14:22 Ms. Murdo

00:15:00 Sen. Tutvedt arrived
00:15:05 Sen. Stewart-Peregoy arrived

HEARING ON SB 243

Opening Statement by Sponsor:

00:16:25 Sen. Ryan Zinke (R), SD 2, opened the hearing on SB 243, General revision of workers' compensation law.

Proponents' Testimony:

00:35:10 Sen. Jim Keene, SD 38, Butte
00:36:13 John Bollinger, Lieutenant Governor
EXHIBIT(bus32a01)
00:44:49 Bob Worthington, Labor-Management Advisory Council (LMAC), representing management
00:53:42 Jason Miller, LMAC, representing labor
01:00:23 Jerry Keck, Administrator, Employment Relations Division, Department of Labor and Industry (DOLI)

EXHIBIT(bus32a02)
01:10:27 Don Judge, member of LMAC
01:17:45 J. D. Lynch, Montana State Building and Construction Trades Council, Teamsters Local Union # 2, Pacific Northwest Regional Council of Carpenters
01:19:25 Bonnie Lyytinen-Hale, Rehabilitation Association of Montana
01:20:24 John Forkan, Montana State Association Plumbers and Pipefitters; State, County and Municipal Employees
01:21:06 Kim Schulke, Linell, Newhall, and Schulke Law Firm, Great Falls
01:22:14 Gary Lusin, American Physical Therapy Association

EXHIBIT(bus32a03)
01:26:42 Tom Murphy, Claimant's Attorney representing injured workers, Great Falls
01:34:38 Gabriel Kristal, Labor Director, Montana Nurses Association (MNA)

EXHIBIT(bus32a04)
01:37:17 Chris Cavazos, Political Director, Montana State AFL-CIO (American Federation of Labor and Congress of Industrial Organizations)
01:38:28 Kim Rickard, Business Manager, Laborers Local Union #1686

01:39:08 Jacquie Helt, Service Employees International Union Healthcare 775 (SEIU);
LMAC
01:39:40 David Lighthall, lawyer
01:41:13 Doug Buman, LMAC member
01:42:32 Riley Johnson, National Federation of Independent Business, LMAC member
01:44:03 Brad Griffin, President, Montana Retail Association (MRA)
01:45:03 Andrea Olsen, Montana Trial Lawyers Association (MTLA)
01:47:50 John Roeber, Business Manager, Boilermakers Local #11
01:48:28 Joseph Sands, Montana State Council of Professional Fire Fighters(MSCOPFF)

Opponents' Testimony:

01:49:12 Bob Olson, Montana Hospital Association (MHA)
[EXHIBIT\(bus32a05\)](#)

01:56:27 Sen. Windy Boy arrived

01:59:14 Vicki Cocchiarella, former legislator, representing Montana Medical Association
(MMA)

[EXHIBIT\(bus32a06\)](#)

[EXHIBIT\(bus32a07\)](#)

02:07:55 Larry Jones, Attorney, Liberty Mutual, Liberty Northwest Insurance

02:10:46 Kevin Brann, Montana State Fund (MSF)

02:12:18 Sen. Windy Boy left the room

02:16:40 Jacqueline Lenmark, American Insurance Association (AIA), also speaking for:
Bruce Spencer, Property Casualty Insurers Association of America (PCIAA);
Dwight Easton, Farmers Insurance Group

Informational Testimony: None

02:24:07 Break

02:31:37 Reconvene

Questions from Committee Members and Responses:

02:31:57 Chairman Jackson

02:32:25 Sen. Zinke

02:32:31 Sen. Tutvedt

02:34:40 Mr. Worthington, LMAC, redirect, without objection

02:34:54 Jerry Keck, DOLI

02:36:00 Sen. Facey

02:36:57 Mr. Brann, MSF

02:38:15 Sen. Facey

02:39:16 Sen. Zinke

02:41:30 Sen. Facey

02:41:46 Mr. Jones, Attorney

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02:42:28 Sen. Windy Boy returned

02:44:36 Sen. Vuckovich

02:50:23 Sen. Zinke

02:52:18 Sen. Tutvedt

02:53:12 Mr. Jones

02:54:12 Sen. Tutvedt

02:55:50 Mr. Brann

02:56:40 Sen. Windy Boy

02:57:16 Mr. Jones, redirect, without objection

02:57:59 Sen. Windy Boy

02:58:23 Ms. Lenmark

02:59:39 Sen. Moore

03:03:25 Sen. Zinke

03:05:01 Sen. Stewart-Peregoy

03:05:31 Sen. Zinke, redirect, without objection

03:05:44 Mr. Keck

03:07:14 Sen. Mowbray

03:08:10 Mr. Bollinger, Governor's office

03:09:26 Sen. Tutvedt

03:10:13 Mr. Jones

03:10:56 Sen. Tutvedt

03:11:36 Mr. Brann

03:12:15 Sen. Vuckovich

03:12:51 Mr. Brann

03:13:02 Sen. Windy Boy left the room

03:13:28 Sen. Steinbeisser

03:14:03 Mr. Brann

03:14:37 Sen. Tropila

03:16:03 Mr. Murphy, Attorney

03:17:24 Vice Chair Jackson

Closing by Sponsor:

03:17:56 Sen. Zinke

03:25:03 Vice Chairman Jackson

Note: Before the meeting, Ms. Murdo handed out information about Independent contractors, for SB 242 heard on 2/4/11.

EXHIBIT(bus32a08)

ADJOURNMENT

Adjournment: 12:27 P.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus32aad.pdf](#))